

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:16-cv-00074-RJC-DSC**

BROADCAST MUSIC INC. ET AL.,)	
)	
Plaintiffs,)	
)	
v.)	<u>ORDER</u>
)	
VICK AND BERRYHILL)	
ENTERTAINMENT, LLC d/b/a)	
ROCKHOUSE TAVERN AND BILLIARDS,)	
LYMAN DAVID)	
VICK, and DONALD DAVID BERRYHILL,)	
)	
Defendants.)	
)	

THIS MATTER comes before the Court sua sponte. Plaintiffs filed their Complaint on February 12, 2016. (Doc. No. 1). Defendant Vick and Berryhill Entertainment, LLC d/b/a Rockhouse Tavern and Billiards was served on February 17, 2016; Defendant Lyman David Vick was served on February 19, 2016; and Defendant Donald David Berryhill was served on February 20, 2016. (Doc. No. 30). Pursuant to Federal Rule of Civil Procedure 12(a)(1)(A)(i), the defendants, respectively, had until March 9, 2016; March 11, 2016; and March 14, 2016; to file an Answer to Plaintiffs' Complaint. Defendants have failed to file an Answer or otherwise make an appearance in this case, and the time for doing so has expired.

Plaintiffs, however, have not filed a motion for entry of default. See Fed. R. Civ. P. 55(a). It is Plaintiffs' burden to move this case forward, and Plaintiffs will be required to take appropriate action within twenty-one (21) days.

IT IS, THEREFORE, ORDERED that Plaintiffs shall file a Motion for Entry of Default within **twenty-one (21) days**. **FAILURE TO FILE SUCH A MOTION WITHIN TWENTY-**

**ONE (21) DAYS WILL RESULT IN DISMISSAL OF ALL CLAIMS AGAINST
DEFENDANTS.**

Signed: July 13, 2016



Robert J. Conrad, Jr.
United States District Judge

